



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

May 13, 2014

Date Complaint Received:	4/23/14
Complaint Received By:	DHS
Provider Name and Location:	Chelsey Lester- Newton, Iowa

Complaint: DHS received a complaint on this provider that she spanked two children in her care. Also reports she pushed a child down to the floor.

Rule Basis: IAC 110.5 (1) Conditions in the home are safe, sanitary and free of hazards.
441 IAC 110.5 (9) a - Gives careful supervision at all times.
c- Gives consistent, dependable care.
441 IAC 110.6 Discipline
a- Corporal punishment including spanking, shaking and slapping is not used.
b- No punishment is used which is humiliating or frightening, or causes pain or discomfort to the child.

Findings:

On April 24, 2014 DHS social worker Dale Garlinghouse met with Chelsey Lester in her home. Also present was her husband a DHS-approved assistant. Mr. Garlinghouse explained the complaint. Chelsey denied ever spanking children or using any type of physical discipline. She stated she did not push any child down. She reports they use time outs and verbal redirection if a child needs to be disciplined.

Mr. Garlinghouse completed a spot check on this date and determined the following areas to be out of compliance not related to the complaint.

441 IAC 110.4 No more children are in care than the rules for the specific category will allow. During this unannounced visit Mr. Garlinghouse observed five children present when he arrived. Three additional children came into her care while he was present. A discussion about the number of children she cares for followed and Chelsey reported at times she has 11 preschool aged children in care. Mr. Garlinghouse explained she was over her capacity of children (8) allowed for her Category (B) during the day from 2:00 - 5:00 p.m.

441 IAC 110.5 (1) - Conditions in the home are safe, sanitary, and free of hazards.

Mr. Garlinghouse observed a number of items in close proximity (less than 3 feet) to the furnace and water heater. The outdoor play area had several hazards present.

441 IAC 110.5 (1) h- A safe outdoor play area is maintained in good condition throughout the year. Mr. Garlinghouse toured the backyard play area and observed a number of tools and

implements (shovels, hammer, etc) accessible to a child. There was an above ground swimming pool in the play area with a cover. The cover was not tight and was dipping low enough if a child crawled on it they would sink into the water in the pool.

441 IAC 110.5 (1) n- 2. Has a minimum of one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway.
It was noted by Mr. Garlinghouse there were no smoke detectors mounted at the top of either stairway.

441 IAC 110.5 (1) o- Smoking and use of tobacco products prohibited at all times in the home and vehicles used to transport children. Smoking and use of tobacco products prohibited in outdoor play area during hours of operation.
Ashtrays full of cigarette butts were observed in the outdoor play area and in the basement. Chelsey stated her brother smokes when he is in the home. Mr. Garlinghouse noted none of the entrances to the home had No Smoking signs posted.

441 IAC 110.5 (1) r- Equipment needed to rescue a child or adult is accessible.
When asked if she had any rescue equipment to use for their pool Chelsey reported they do not have any type of rescue equipment.

441 IAC 110.5 (1) s- The provider has completed training in CPR for infants, toddlers, and children. Documentation of current certification is on file.
Chelsey was unable to produce any documentation she has been certified in Infant and Child first-aid and CPR.

441 IAC 110.5 (2). A provider file is maintained and contains:
b- Two hours of approved child abuse and neglect mandatory reporter training (and every 5 years thereafter).
Certification by an approved trainer/organization in infant and child first-aid that includes mouth-to-mouth resuscitation. Certification will be maintained throughout period of registration. If they are unable to locate first aid training that includes mouth-to-mouth resuscitation, they must complete both a first aid course and CPR.
Chelsey did not have documentation she has completed and been certified in either of these required trainings. Chelsea uses her husband as an assistant and substitute but did not have a file for him or any of the information required.

441 IAC 110.9 c- Gives consistent, dependable care.
Chelsey reported she is over numbers daily from 2:00 until 5:00 p.m. She has 11 preschool children in care during that time. She had a number of compliance issues that are considered a safety hazard.

Mr. Garlinghouse did not have enough time to complete the spot check list and informed Chelsey he would be back within one week to complete the spot check.

Resolution: On April 25, 2014 Chelsey Lester called DHS social worker Dale Garlinghouse to inform him she was no longer providing child care after today and was voluntarily relinquishing her registration. DHS received her certificate with a written statement of her registration withdrawal. Her registration was closed effective April 28, 2014.

If you have any questions regarding this matter feel free to contact me at 319/892-6803 or email address dgarlin@dhs.state.ia.us.

Sincerely,

Social Worker